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Creditor of BlockFi Lending LLC

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:

BLOCKFI INC., *et al.*,¹

Debtors.

Chapter 11

Case No. 22-19361 (MBK)

(Jointly Administered)

**NOTICE OF CLAIMANT JOHN W. VAN TUBERGEN JR.'S
(I) MOTION PURSUANT TO FED. R. BANKR. P. 3008, 8002(b), 8007(a), 9023 AND 9024
TO (A) ALTER AND AMEND THE DECISION AND ORDER SUSTAINING THE
WIND-DOWN DEBTORS' OBJECTION TO CLAIM NO. 7233; AND
(B) ALTERNATIVELY, SEEK OTHER RELIEF FROM SUCH ORDER; AND
(II) INVOCATION OF TOLLING OF TIME TO APPEAL
PURSUANT TO FED. R. BANKR. P. 8002(b)**

PLEASE TAKE NOTICE that on **April 11, 2024, at 10:00 a.m.**, or as soon thereafter as counsel may be heard, claimant John W. Van Tubergen Jr. ("Claimant") shall move before the Honorable Michael B. Kaplan, Chief Judge of the United States Bankruptcy Court for the District of New Jersey, at the Clarkson S. Fisher U.S. Courthouse, located at 402 East State Street, Courtroom number 8, in Trenton, New Jersey 08608, or virtually by way of a remote court appearance, in support of Claimant's *Motion Pursuant to Fed. R. Bankr. P. 3008, 8002(b), 8007(a), 9023 and 9024 to (A) Alter and Amend the Decision and Order Sustaining the Wind-*

¹ Claimant's proof of claim number 7233 is associated with the bankruptcy estate of BlockFi Lending LLC, Bankr. D.N.J. Case No. 22-19365.

Down Debtors' Objection to Claim No. 7233; and (B) Alternatively, Seek Relief From Such Order, together with such other and further relief as the Court deems just (the "Motion").

PLEASE TAKE FURTHER NOTICE that the Motion is made pursuant to Bankruptcy Rule 8002(b)(1), under which Claimant's time to file an appeal of the Court's *Memorandum Decision and Order Granting Wind-Down Debtors' Seventh Omnibus Objection to Claim No. 7233 Filed by John W. Van Tubergen Jr.*, both issued and docketed on February 8, 2024, shall run until fourteen (14) days following the entry of an order disposing of the Motion. The Motion is made on notice to all parties that would be entitled to notice under Bankruptcy Rule 8003(c) of Claimant's prospective appeal in this matter.

PLEASE TAKE FURTHER NOTICE that in support of the Motion, Claimant will rely upon the accompanying *Memorandum of Law* in support of the Motion, the undersigned's *Certification* in support of the Motion with enclosed exhibit, together with Claimant's prior submissions in this matter, *see* Case No. 22-19361 docket numbers 1496, 1496-1, 2039, and 2039-1. A proposed form of *Order* and *Certification of Service* are also submitted herewith.

PLEASE TAKE FURTHER NOTICE that objections, if any, to the relief requested in the Motion shall: (i) be in writing; (ii) state with particularity the basis of the objection; and (iii) be filed with the Clerk of the United States Bankruptcy Court in accordance with D.N.J. LBR 9013-1.

PLEASE TAKE FURTHER NOTICE that unless an objection is timely filed and served, the Motion will be deemed uncontested in accordance with D.N.J. LBR 9013-3(d), and the relief requested may be granted without a hearing.

PLEASE TAKE FURTHER NOTICE that Claimant requests oral argument on the Motion.

Respectfully submitted,

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973-436-5800
*Counsel to Claimant John W. Van Tubergen Jr.,
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Dated: February 21, 2024

By: /s/ Joao F. Magalhaes
Joao F. Magalhaes